

macrotuner allows a string to be tuned over an entire octave of twelve pitches, so that the string can be tuned from an untensioned condition to a proper playing pitch. Page 43, lines 11-22.

Claim 1 is patentably distinct from Gressett because claim 1 recites "means for raising and adjusting one of said strings to a pitched string condition from an untensioned condition." Nothing in Gressett teaches or suggest such a means. Gressett only teaches fine tuners. Therefore, Gressett does not anticipate Applicant's claim 1. It is also not apparent how Gressett's fine tuners could be modified to allow a string to be tuned from an untensioned condition to a pitched condition, and there is no motivation in Gressett to provide such macrotuning. In addition, as discussed above, Gressett was directed toward a tremolo that maintains a substantially flat upper surface regardless of the position of the fine tuner. Accordingly, Gressett teaches away from modifying the tremolo in a way that would cause an uneven upper surface of the tremolo. With this in mind, Applicant is further unclear how the Gressett device could be altered to allow macrotuning.

In light of the foregoing, Applicant's claim 1 is novel and nonobvious over Gressett. Further, claim 6 recites means for macrotuning each string. Therefore, claim 6 is patentably distinct from Gressett for at least the same reasons discussed above in connection with claim 1.

Applicant further requests that the Examiner favorably consider newly presented claims 7-12. Independent claims 7 and 9 recite a macrotuner so that the claims are patentably distinct from Gressett for at least the reasons set forth above. In addition, claims 7 and 9 recite a macrotuner that includes a gripping portion for gripping the string intermediate a bridge and a string anchor. Gressett does not disclose a gripping portion for gripping the string intermediate a bridge and a string anchor, so that claims 7 and 9 are further patentably distinct from Gressett.

As shown in Fig. 3 of Gressett, the Gressett tremolo has a seat 42 that engages the ball at the end of the string. Col. 4, lines 58-62. The string then extends under a hold down 34 and over the bridge element, which Gressett refers to as a saddle 22. *See* col. 4, lines 28-30. The hold down 34 is a triangularly-shaped element that simply ensures that the strings maintain contact with the saddles 22. Col. 4, lines 45-53. The problem that necessitates the hold down is the fact that the strings must stay in contact with the bridge elements.

Otherwise, when the strings come out of contact with the strings, the instrument is thrown out of tune. As shown in Fig. 3 of Gressett, when the string anchor is below the saddle 22, the string will stay in contact with the saddle without the need for a hold down. However, as can be seen in Fig. 7, when the tremolo is pivoted upwardly so that the string anchor is vertically displaced above the saddle, the string would come out of contact with the saddle without the hold down 34. Accordingly, the hold down 34 pushes the string downwardly into contact with the saddle.

In contrast to the Gressett device, Applicant's device as recited in claims 7 and 9 includes a gripping portion that grips the string. The gripping portion is intermediate the string anchor and the bridge element. The gripping portion limits the amount that the string rearward of the bridge element can stretch during use. Since Gressett does not teach or disclose such features, claims 7 and 9 are patentable over Gressett. In addition, claims 8 and 10-12 depend from claims 7 and 9 and are therefore patentable for at least the foregoing reasons. Accordingly, Applicant respectfully requests that the Examiner reconsider the rejection of claims 1-6, favorably consider newly presented claims 7-12 and promptly pass this case to issue.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Stephen H. Eland', written over a horizontal line.

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